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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,779	03/25/2004	Jae-Shik Kim	678-1193 (P11061)	5885
28249	7590	06/08/2006	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			JACKSON, ANDRE L	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/808,779	KIM, JAE-SHIK	
	Examiner	Art Unit	
	Andre' L. Jackson	3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11,13-15 and 21-23 is/are rejected.
- 7) ☒ Claim(s) 3-10,12,16-20 and 24-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Applicant's Amendment

Applicant's signed affidavit under 37 CFR 1.132 filed on February 3, 2006 is sufficient to overcome the rejection of claims 1-23, 25, 27, 28 and 30 over Jung et al based upon applicant's sworn testimony that applicant's invention was conceived and reduced to practice before the effective date of March 3, 2003 as evidenced by affidavit documents recorded in the file.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Accordingly, the previous rejection in view of #20050198779 to Jung et al is respectfully withdrawn. However, upon subsequent review of the prior art, previously cited reference #6,694,570 to Chen has been applied to meet the limitations of applicant's claims and an explanation of the new grounds of rejection appears below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,694,570 to Chen. Chen discloses a hinge device (4-6) useable with a foldable electronic apparatus comprising;

a first rotation axis (A) for opening and closing a folder (20) with respect to a terminal body (10) and a second rotation axis (B) extending perpendicular to the first rotation axis and adapted to rotate relative to the first rotation axis, the hinge device being adapted to rotate the folder about the second rotation axis in a state wherein the folder and terminal body are opened; a first hinge housing (3) coupled to the terminal body to rotate about the first rotation axis, the first hinge housing being formed with a fixing groove (U-shaped cut-out) surrounded by ribs (342) extended to a certain height at its inner peripheral surface, and an opening (Fig. 5) adapted to expose the fixing groove in a direction of the second rotation axis; a main shaft (41) provided at one end with a fixing end (411) having a shape corresponding to that of the fixing groove, the main shaft extending in the direction of the second rotation axis and adapted to protrude outwardly through the opening of the first hinge housing at the other end thereof; and a second hinge housing (22) rotatably coupled to the other end of the main shaft protruding outwardly from the first hinge housing and adapted to rotate about the second rotation axis, the second hinge housing being fixed to the folder.

As to claims 2 and 11, the main shaft of the hinge device is adapted to penetrate from a lower end surface of the second hinge housing to an upper end surface thereof, thereby causing the one end to be protruded from the upper end surface of the second hinge housing, the protruding end of the main shaft being fastened with an e-ring (42) comprising fastening arms (Fig.5) extended outwardly from both sides of the e-ring and the fastening arms being formed with fastening holes at their opposite ends, respectively.

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As to claims 22 and 23, the first hinge housing is further formed with a first guide rail (341) extending in the direction of the second rotation axis at one side of the fixing groove, and a guide groove (concave openings) formed along the direction of the second rotation axis at one surface of the guide rail facing the fixing groove; and the main shaft is further formed at its one side with a second guide rail (401) extended in the direction of the second rotation axis and adapted to be inserted into the guide groove. Further, the first guide rail defines a slit or gap, having a certain width, between a top side and an inner sidewall of the first hinge housing.

Allowable Subject Matter

Claims 3-10, 12, 16-20 and 24-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (9:30 am - 6 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALJ

André L. Jackson
Patent Examiner
AU 3677


ROBERT J. SANDY
PRIMARY EXAMINER